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FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
07/21/2003	James A. Hill	HORI 0131 PUS	4852	
7590 06/09/2005		EXAM	EXAMINER	
USHMAN P.C.		NOLAND,	THOMAS	
		ARTINIT	PAPER NUMBER	
TWENTY-SECOND FLOOR SOUTHFIELD. MI 48075		2856	TAI ER NOMBER	
	07/21/2003 7590 06/09/2005 CUSHMAN P.C. CENTER ECOND FLOOR	07/21/2003 James A. Hill 7590 06/09/2005 USHMAN P.C. CENTER ECOND FLOOR	07/21/2003 James A. Hill HORI 0131 PUS 7590 06/09/2005 EXAM LUSHMAN P.C. NOLAND, CENTER ART UNIT	

DATE MAILED: 06/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

		L	K
	Application No.	Applicant(s)	
	10/623,758	HILL, JAMES A.	
Office Action Summary	Examiner	Art Unit	
	Thomas P. Noland	2856	
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address	
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period v - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be tim within the statutory minimum of thirty (30) days will apply and will expire SIX (6) MONTHS from cause the application to become ABANDONEI	nely filed s will be considered timely. the mailing date of this communication. O (35 U.S.C. § 133).	
Status			
1) Responsive to communication(s) filed on 18 M	<u>arch 2005</u> .		
2a) ☐ This action is FINAL . 2b) ☑ This	action is non-final.		
3) Since this application is in condition for allowar	nce except for formal matters, pro	secution as to the ments is	
closed in accordance with the practice under E	Ex parte Quayle, 1935 C.D. 11, 45	3 O.G. 213.	
Disposition of Claims			
4) ☐ Claim(s) 1-29 is/are pending in the application 4a) Of the above claim(s) 2-13 and 15-29 is/are 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1 and 14 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or	e withdrawn from consideration.		
Application Papers			
9) The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) accomplicated any not request that any objection to the Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the Examine	epted or b) objected to by the led drawing(s) be held in abeyance. See ion is required if the drawing(s) is obj	e 37 CFR 1.85(a). ected to. See 37 CFR 1.121(d)).
Priority under 35 U.S.C. § 119			
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority document: 2. Certified copies of the priority document: 3. Copies of the certified copies of the priority application from the International Bureau * See the attached detailed Office action for a list	s have been received. s have been received in Applicati rity documents have been receive u (PCT Rule 17.2(a)).	on No ed in this National Stage	
Attachment/c)			
Attachment(s) 1) X Notice of References Cited (PTO-892)	4) Interview Summary	(PTO-413)	
2) Notice of Praftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	Paper No(s)/Mail Da		

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1. Applicant's election without traverse of the invention of group 1b, 1st species, reading on or not excluding claims 1 and 14 in the reply filed on March 18, 2005 is acknowledged.

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- 2. The restriction and election of species requirements are made final, subject to the nonallowance of a linking or generic form of claim 1.
- 3. Claims 2-13 and 15-29 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention or species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on March 18, 2005.
- 4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 5. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Hsu et al US 6,643,211.

Note abstract, fig. 9 and col. 9, lines 47-65. It is noted well logging tools can be used to measuring properties of fluids. In use the attenuators 905 (buffer assembly) would be between the core and the fluid in the well or formation.

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6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person
- having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 7. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stiffler et al US 5,708,209 cited in an IDS in view of Groh et al. EP 352676.

Stiffler et al shows in the abstract, figs. 1 and col. 4, line 45-col. 5, like 7 an acoustic transducer with a coupler as claimed but does not specify that the coupler is shrink fitted. However, that was at the time of making the invention a well known technique for fitting materials in probe systems as evidenced by the use of a shrink fitted coupler in Groh et al. Note its Derwent abstract and fig. 1. Use of such in a system similar to that of Stiffler et al would have been an obvious expedient to ease manufacture or have a stronger fitting.

8. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stiffler et al in view of Groh et al as applied to claim 1 above, and further in view of Jen US 5,241,287, cited IDS.

Stiffler et al also does not specify that the sleeve is made of a material having a bulk sound speed greater than that in the core. However such is a known expedient is similar ultrasonic transducer coupling systems as evidenced by claim 6 of Jen and

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would have thus been obvious to have been used in a system similar to that of Stiffler et al to better control coupling effects.

- 9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited references show the use of sonic or ultrasonic probes and/or shrink fitting.
- 10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom Noland whose telephone number is (571) 272-2202. The examiner can normally be reached on weekdays from 9:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Hezron E. Williams, can be reached on (571) 272-2208.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to 2800 Customer Service at (571) 272-2815.

Thomas P. Noland
Primary Examiner
Art Unit 2856

Noland/ds

06/01/05